

STATE OF MICHIGAN  
IN THE 10<sup>TH</sup> JUDICIAL CIRCUIT-FAMILY DIVISION

MELISSA J. CALICE  
PLAINTIFF

VS

RICHARD A. CALICE JR.  
DEFENDANT

\*\*\*\*\*

ORDER PROHIBITING CONTACT WITH  
SCHOOL, RULING ON JOINT LEGAL CUSTODY,  
REFERRAL FOR PSYCHOLOGICAL EVALUATION,  
SUSPENDING PARENTING TIME  
FILE NO. 12-017215-DZ-1

**A TRUE COPY**  
Susan Kaltenbach, Clerk

AT A SESSION OF SAID COURT HELD IN THE COURTHOUSE IN THE CITY AND COUNTY OF SAGINAW,  
STATE OF MICHIGAN, THIS 18<sup>th</sup> DAY OF December, 2014

PRESENT HONORABLE FRED L. BORCHARD, CIRCUIT COURT JUDGE

This matter having come on for hearing on Thursday December 18, 2014 regarding Notice for Emergency Hearing set by the Friend of the Court Office, both parties having appeared at that time, along with Attorney Timothy McLeod, representing Plaintiff-Mother, Principal James Bailey from Hemmeter Elementary School in Saginaw Township District having also appeared, Township Police Detective, Mindy Worden having also appeared, and the Court having heard the statements of those present at the hearing, the exhibits admitted, and the testimony of James Bailey and the Court having made a ruling regarding issues presented, and the Court being fully advised and informed in the premises, orders as follows:

IT IS ORDERED that pending a trial on this case, Plaintiff-Mother shall have sole legal custody of the minor children and the matter of joint legal custody is preserved for trial on this case, and the matter of joint legal custody is referred to Jill Hogenson for investigation. Defendant is allowed to present to Plaintiff's Attorney questions to be provided to the minor children's physician regarding their skin/allergy ailments. The parties shall share equally the cost of the investigation.

IT IS FURTHER ORDERED that prior to the interviews by Ms. Hogenson, Defendant is referred to Dr. Ken Bertrum for a psychological evaluation. Defendant shall bare the cost.

IT IS FURTHER ORDERED that pending trial on this matter, and until further order of the Court, Defendant is prohibited from appearing on the property of any of the schools of Saginaw Township Community Schools, and is also prohibited from communicating with any staff members of the school district by telephone, unless prearranged through James Bailey. Defendant may also contact the school by written communication, only with reasonable requests and concerns. He may also access Skyward where he may access progress of his children, including attendance, academic process (including grades), and disciplinary action.

IT IS FURTHER ORDERED that Defendant's parenting time, including Christmas time, is suspended until further order of the Court, and any make-up time is reserved for trial.

IT IS FURTHER ORDERED that Susan K. Prine shall make a referral to Protective Services regarding Defendant's claims of alleged sexual abuse upon the minor child, Rocco.

FRED L. BORCHARD P11003

FRED L. BORCHARD CIRCUIT COURT JUDGE

Countersigned:

151

Deputy Clerk

PREPARED BY:

FRIEND OF THE COURT

CERTIFICATE OF MAILING

I certify that on this date I mailed by ordinary mail with first class postage fully prepaid a copy of the foregoing to the parties and/or their counsel at their address as shown by the records of the Friend of the Court.

12-18-14

Date of Mailing

Friend of the Court Staff

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Richard A. Calice (Parent) \_\_\_\_\_ (Parent)

Applicable children: DOB: 12/12/78

\_\_\_\_\_  
dob: \_\_\_\_\_ dob: \_\_\_\_\_  
\_\_\_\_\_  
dob: \_\_\_\_\_ dob: \_\_\_\_\_

Information to be released to include:

\_\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_\_ Social records

☒ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_\_ Substance Abuse treatment records

☒ Consultation with Staff Agency: Dr. Ken Bertrum Staff: \_\_\_\_\_

Purpose of Disclosure: Court ordered investigation

I understand the Release of information is for the purpose of a Court-ordered investigation. I have been advised that the information received may be reported and/or provided to the Court.

I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 1/20/15 and shall be considered valid until 1/20/16 (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

☒ Richard A. Calice date: 1/20/2015  
\_\_\_\_\_  
date: \_\_\_\_\_

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Richard Calice (Parent) \_\_\_\_\_ (Parent)

Applicable children:

Dora dob: \_\_\_\_\_ dob: \_\_\_\_\_  
Amelia dob: \_\_\_\_\_ dob: \_\_\_\_\_

Information to be released to include:

\_\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)  
\_\_\_\_ Social records  
\_\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)  
\_\_\_\_ Substance Abuse treatment records  
\_\_\_\_ Consultation with Staff Agency: Sagittarius Court Staff: \_\_\_\_\_  
+ Circuit Ct. Staff

Purpose of Disclosure: Court ordered investigation

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I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 1/20/15 and shall be considered valid until

1/20/16 (one year from the date of signature, unless otherwise specified). when investigation of child endangerment concludes

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

Richard Calice date: 1/20/2015

date: \_\_\_\_\_

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Melissa Colini (Parent) Richard Cauce (Parent)

Applicable children:

Rose dob: 6/27/00 dob: \_\_\_\_\_  
Amelia dob: 4/21/08 dob: \_\_\_\_\_

Information to be released to include:

\_\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_\_ Social records

\_\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_\_ Substance Abuse treatment records

\_\_\_\_ Consultation with Staff Agency: Dr. Khan Staff: \_\_\_\_\_

Purpose of Disclosure: Court ordered investigation

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The above release is being signed on 1/20/15 and shall be considered valid until 1/20/16 (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

Melissa Colini date: 1/20/15  
Richard Cauce date: 1/20/15

**RELEASE OF INFORMATION**

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Melissa Calice (Parent) Richard Calice (Parent)

Applicable children:

\_\_\_\_ dob: \_\_\_\_\_ dob: \_\_\_\_\_  
\_\_\_\_ dob: \_\_\_\_\_ dob: \_\_\_\_\_

Information to be released to include:

\_\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_\_ Social records

\_\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_\_ Substance Abuse treatment records

\_\_\_\_ Consultation with Staff Agency: Dr. Phander Staff: \_\_\_\_\_

Purpose of Disclosure: Court ordered investigation

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I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 4/20/15 and shall be considered valid until 4/20/16 (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

X Murrell date: 4/20/15  
Ray Carter date: 4/20/2015

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Melissa Calvi (Parent)

Richard Calvi (Parent)

Applicable children:

Rocco dob: \_\_\_\_\_

\_\_\_\_\_ dob: \_\_\_\_\_

\_\_\_\_\_ dob: \_\_\_\_\_

\_\_\_\_\_ dob: \_\_\_\_\_

Information to be released to include:

\_\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_\_ Social records

\_\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_\_ Substance Abuse treatment records

✓ Consultation with Staff Agency: Dr. Joffe's office Staff: Staff - including Nicole

Purpose of Disclosure: Court ordered investigation

I understand the Release of information is for the purpose of a Court-ordered investigation. I have been advised that the information received may be reported and/or provided to the Court.

I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 1/20/15 and shall be considered valid until 1/20/16 (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

x Melissa Calvi

date: 1/20/15

Richard Calvi

date: 1/20/2015

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Melissa Calice (Parent) \_\_\_\_\_ (Parent)

Applicable children:

Rocco dob: \_\_\_\_\_ dob: \_\_\_\_\_  
Amelia dob: \_\_\_\_\_ dob: \_\_\_\_\_

Information to be released to include:

\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_ Social records

\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_ Substance Abuse treatment records

\_\_\_ Consultation with Staff Agency: Hemmett Elementary Staff: Staff - J. Bailey Principal

Purpose of Disclosure: Court ordered investigation

I understand the Release of information is for the purpose of a Court-ordered investigation. I have been advised that the information received may be reported and/or provided to the Court.

I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 1/20/15 and shall be considered valid until 1 year (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

Melissa Calice date: 1/20/15  
Melissa Calice date: 1/20/15

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Richard Calice (Parent) \_\_\_\_\_ (Parent)

Applicable children:

Rocco dob: \_\_\_\_\_ dob: \_\_\_\_\_  
Amelia dob: \_\_\_\_\_ dob: \_\_\_\_\_

Information to be released to include:

\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_ Social records

\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_ Substance Abuse treatment records

\_\_\_ Consultation with Staff Agency: Mindy Warden Staff: \_\_\_\_\_  
Detention

Purpose of Disclosure: Court ordered investigation

I understand the Release of information is for the purpose of a Court-ordered investigation. I have been advised that the information received may be reported and/or provided to the Court.

I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 1/20/15 and shall be considered valid until 1/20/16 (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

XOJay Calice date: 1/20/2015  
\_\_\_\_\_  
date: \_\_\_\_\_

RELEASE OF INFORMATION

Jill Hogenson, LMSW, ACSW, Custody Specialist, is hereby given permission to provide as well as receive relevant information, including sensitive medical records, the following information about myself and my children:

Melissa Calice (Parent)

Tony (Richard) Calice (Parent)

Applicable children:

Rocio dob: 10/27/06

dob: \_\_\_\_\_

Amelia dob: 4/2/08

dob: \_\_\_\_\_

Information to be released to include:

\_\_\_ Medical records (including counseling notes, assessments, discharge summaries, quarterly reports)

\_\_\_ Social records

\_\_\_ Psychological/Psychiatric records (including testing, therapist/physician notations)

\_\_\_ Substance Abuse treatment records

\_\_\_ Consultation with Staff Agency: CPS Staff Staff: \_\_\_\_\_

Purpose of Disclosure: Court ordered investigation

I understand the Release of information is for the purpose of a Court-ordered investigation. I have been advised that the information received may be reported and/or provided to the Court.

\* Consultation confined to relevant information of allegations of child sexual abuse.

I have been advised that I may revoke or revise this release at any time and have been given a copy of the release.

The above release is being signed on 1/20/15 and shall be considered valid until 1/20/16 (one year from the date of signature, unless otherwise specified).

I have been advised my signature approves contact between Ms. Hogenson, LMSW, ACSW both in the provision of information as well as receipt of information. I understand if the resource charges a fee for releasing the information neither Ms. Hogenson will be responsible for fees.

Melissa Calice date: 1/20/15  
[Signature] date: 1/20/15

\*

February 16, 2015

**RE:** Tony Calice  
DOB: 12/12/1978

**Referral:**

This gentleman is compelled to comply with psychological testing out of expressed concerns regarding his stability, and the possibility that he may represent a threat to the safety and wellbeing of his estranged wife, or possibly to members of the court or other figures of relevance in the community (e.g., personnel at the school his children attend).

But behind this expressed concern lie the deeper facts of the matter, that he is irritatingly, obstinately assertive with his positions, legally and otherwise, and where the details of his estrangement in relation to his wife and minor children, Rocco (now eight) and Amelia (now six and approaching seven) are concerned. He has created a fair amount of frustration and consternation locally, though he resides far away, in Maryland. He is representing himself as concerns the niceties of his divorce and custody litigation, and seems to be pursuing this with intelligence and energy, though with understandable disregard for both literal and understood rules of protocol, regarding such processes. He is highly sophisticated with electronic/digital media, and with the operation of systems concerned with interfacing and movement of digital information. He possesses the, to some, annoying inclination to post matters broadly which, again, some, would prefer he did not. This, too, has created confusion and concern, hereabouts.

The man's primary concern, quite clearly and honestly, appears to be with his son, Rocco's, sense of safety and security, under the circumstances. The proximate issue, here, regards bullying of this youngster by a peer, and on one occasion, Rocco was evidently the victim of some inappropriate touching in the context of same. Tony was not made aware of this via appropriate channels, and is understandably frightened as a result, for his son's safety, and also very angry that he had to discover this matter when his son confided in him regarding it.

Tony believes that "Saginaw (by which he means the court system, and attendant mechanisms and processes) is doing an excellent job of protecting its own safety."

The man indicates that his children were, by their mother, and with complicity on the part of her attorney, "kidnapped." He elaborates, as noted, further along.

In any event, the court, finding itself both confused regarding the operation of this eccentric gentleman's thinking and behavior, and also concerned over the possibility that something sinister and possibly dangerous might lurk beneath Tony's presentation and behavior, has required him to submit to psychological evaluation.

And in fairness to Mr. Calice, if all he describes by way of his estranged wife's legal sleight of hand maneuvers is accurate and true, the term "sinister," at the least, is far more applicable to her and her advisors, legal and, perhaps, otherwise, than, indeed, to Mr. Calice.

**Date of contact:**

Interviewing and testing occurred on January 24, 2015, over a span of about five and a half hours.

**Notes:**

The writer was provided, by the Friend of the Court, with numerous documents pertaining to the instant matter, including downloaded material from a website or websites created by Mr. Calice, copies of petitions and/or other court documents, printed court dockets relating to said matter, sign-out sheets from the school Rocco attends, printed emails regarding the situation, largely posted by Mr. Calice, and a letter summarizing the matter at hand, from the perspective of the Friend of the Court. All have been perused by the writer, page by page.

The writer, and any other party with even trivial curiosity, has also been provided an assemblage of information by Tony Calice, including the following:

Tony was reared in Oakland County (Troy), Michigan.

During his courtship with Melissa, and beyond the time the couple wed, Tony (and later, Tony and family) resided in Royal Oak (Oakland County), Michigan.

Thus, in September, 2011, the Calice family (i.e., Tony, Melissa, Rocco, and Amelia), moved from Oakland County, and took up residence in Baltimore County, Maryland.

The following summer, for what she initially claimed and described to her husband as a "vacation or visit," Melissa traveled to Michigan with the couple's children. Only when she indicated to Tony that she would not be returning, as planned, at the end of a week, did Tony discover that his wife intended to remain in Michigan, and had filed, here, for a legal separation, and intended to remain with their children in this state. She has, despite legal documents and court petitions proffered by Tony (i.e., making it clear that Melissa filed for separation here while still a resident of Maryland), been supported in this essential campaign, and allowed by the local (Saginaw) court both to remain in Michigan, and to keep the children here with her. Tony's position, highly compelling to the writer, is that his wife has, with assistance of her lawyer and tacit support of the court, illegally established residence in Michigan, and, by logical extension, has kidnapped their children.

These things are, insofar as such can be said to exist, *facts*. They transcend, the realm of what people simply believe or allege or opine, as they belong to the world of documents, of public record. They are certainly open to interpretation, verbal discussion, even vigorous argument, legal or otherwise. Yet they are *outer*, as opposed to *inner*, events. Tony has made them widely available, via the internet. They are there for anyone who is interested to see.

**History:**

By way of biopsychosocial history, Tony advises that he arose the outcome of a normal pregnancy and delivery. Postnatal development, likewise, proved normal, though speech was a

little delayed in its manifestation, apparently due the fact that Tony's older sister tended to "talk for me."

There is an older sister, as suggested, who is four years Tony's senior. As well, there is a younger brother, seven years Tony's junior. Tony's sister currently resides in Dallas; his brother lives in Chicago.

The man's parents remained together, and got along well with one another. They treated their children well. The marriage and family were conventional, in the sense that Tony's mother remained at home, while his father, a very successful salesman, furnished the family's income.

A child was born between Tony and his sister, and was diagnosed at birth with Down's Syndrome. For reason or reasons, this neonate was not brought home from the hospital. This decision proved, over time, traumatic for Tony's parents, who have indicated that they would handle the matter differently, had they the opportunity to do it over again.

Tony's parents are both alive, and he has regular contact with them. He and his siblings also communicate regularly. The family would be considered a relatively close one, though clear boundaries are emphasized (which is actually consistent with the degree of autonomy taught and practiced by the man's parents, during his formative life).

Tony's parents operated a highly structured home environment, employed what would be considered soundly effective behavioral management practices (the clear spelling out of expectations, with incentives and disincentives factored in), today. Tony had some resentment during his childhood and adolescence, as many of his peers in their Troy neighborhood enjoyed considerably more material generosity than did he and his siblings.

As an aside, it would appear that Tony applied some effort, successfully, to the business of challenging and maneuvering around his father's attempts to manage his behavior and channel his energies.

The parents encouraged independence, self-reliance, and responsibility on the parts of Tony and his sister and brother.

Looking back, Tony describes himself as having been somewhat introverted, during his formative years. He remembers a period of time during middle school that he lied in order to work around his parents firm rules and considerable expectations.

The family was observantly Catholic, and in consequence, Tony and his siblings attended parochial school. He was a "B-C" student, and remembers not testing particularly well. He attended summer school during his time in middle school, as his English grades merited same.

The family maintained a summer residence on Torch Lake, and Tony remembers working as a caddy at a country club, thereabouts. During adolescence, Tony also worked as a waiter, and on a grounds crew at a golf course.

The man completed high school (graduating class of 90 or so) in timely fashion, and thence attended Fordham University, in New York City. Interestingly, in a successful bid to influence Tony's academic performance, his father did not pay for his college, but rather reimbursed his

tuition, given solid grades. Indeed, so effective was this measure that Tony completed college a semester ahead of expectation, and consequently was allowed, by his father, a cash bonus for his efforts. The man held a dual major in IT and Finance.

Following his graduation, Tony coached and did substitute teaching at his Catholic high school. Thence, he found employment in the software industry, in Chicago, for some nine months, before hiring on with Wayne County's Department of Community Justice, where he engaged in IT work. He remained there for 18 months, and then joined the Michigan office of a company in St. Louis, Missouri. At the same time, the man was striving to complete a MA Degree in Business Information, with a focus on Health Information Technology, at Wayne State University.

Said degree was completed in 2003 or 2004, and Tony was intending to relocate to Missouri, but had met Melissa, his presently estranged wife. This important relationship evolved into a romantic bond over time, and after courting for a year, the couple married in August, 2005.

Both of their families of origin resided in Michigan, and Melissa was employed as a teacher in the Detroit area. Consequently, in preference to moving to a distant state, Tony found employment with a local bank system, and the newlyweds purchased a home in Royal Oak.

As fate would have it, the housing market collapsed, and Tony, dependent on the solvency of the then-suffering banks, was laid off. He hired on with another bank, and subsequently found what he hoped was more stable employment with Blue Cross/Blue Shield of Michigan.

Tony's son, Rocco, was born about this time (DOB: 10/27/2006), and Melissa's job became unstable for reason of the economy in our state. The couple discussed their options, and Melissa ultimately decided to leave her employment to stay home, with the children, and to pursue her MSW. She began borrowing money in furtherance of her education, eventually owing \$100,000 in student loans.

A second child, Amelia (familiar, Mia), was born on 4/25/2008.

Sadly, Blue Cross/Blue Shield, suffering from the downturned economy, reduced the amount that Tony was being paid, and in the interest of increasing the family's income, he sought and found employment with the company in Maryland, and began commuting, weekly, back and forth between the two states.

After so operating for a year, Melissa and the couple's two children visited Maryland, and all seemed to like the community. Relocating the family to that state appeared a sensible option, as it would allow all to reside together again, would eliminate the cost of commuting back and forth weekly, and would render Tony's schedule less exhausting.

Hence, after Melissa completed her MSW, the family moved to Maryland, the children enrolled in school there, and the group of souls began functioning more as a family, again.

The following summer, Melissa and the children returned to Michigan for what she said would be a ten day vacation. The children had been enrolled in school, and so far as Tony knew, all was well. Then, on the eve of the date she was scheduled to return home to Maryland, Melissa contacted Tony to advise him that she was staying in Michigan for an additional week. Sensing that there was more to the story than the simple extension of a vacation, Tony pressed the

woman for more details, and was summarily informed by Melissa that she was leaving him and had filed for a separation.

This turn of events caught Tony flat-footed, and indeed, came as a complete surprise to others as well, including Melissa's employers (YMCA), in Maryland. Though the couple had endured their differences, he was literally emotionally unprepared for his wife's abrupt decision to end their marriage. He found the experience devastating.

Tony's view of the events occurring at this time is that his children were kidnapped by his wife. He indicates that Melissa apparently hired an attorney fully 11 months prior to her Michigan "vacation," and had been residing in Maryland for ten months at the time she absconded to this state with Rocco and Mia. Tony indicates that said attorney was hired within 30 days of the time Melissa and the children relocated to Maryland to join Tony there.

Tony's point in emphasizing these details is that by the time of her decision to separate and divorce, Melissa was no longer a Michigan resident. Yet papers were filed (i.e., for a legal separation) in this state, alleging that she had been a Michigan resident for six months prior, and had, in fact, been residing in Saginaw County for a period of ten days prior to filing for a legal separation. It logically follows that the filing for separation constituted an illegal act, and that the children were illegally taken, hence kidnapped, from Maryland.

Given the foregoing, and in light of Michigan child custody jurisdiction law, it would appear that said kidnapping has been/is being sanctioned by the local court system.

In any event, Melissa filed for said separation in Michigan, in August, 2012. And upon receiving papers to this effect, Tony filed for divorce, in Maryland. Melissa then counter-filed for divorce in Michigan, in the same month.

The judge appointed the case in Maryland has communicated with the judge here in Michigan, and it has been resolved that custody of the children, for reason or reasons unclear, would be resolved here in this state.

Tony's understanding is that the court has, for the time being, established joint legal custody and shared parenting time regarding Rocco and Mia. The man indicates in no uncertain terms, however, that Melissa disregards the stipulations of this resolve, and the court fails to enforce them.

From his perspective, Melissa has been backed by the court and the Friend of the Court in her bids to call the shots, where decision-making regarding the children is concerned, and as regards parenting time. Tony's view is that the woman simply does as she pleases, with evident impunity and full backing by our court system, here.

Thus, following the time the children were spirited away to Michigan by their mother, Tony had no contact with them for three months. Nor has he seen his children since this past Thanksgiving.

And in response to all of this, Tony has resolved to directly and energetically challenge the system.

At this point, Melissa is employed by a local charter school as a social worker. She is said by Tony to reside independently with the children. Tony does not know if Melissa has developed a new romantic relationship over the past two years. The divorcing couple has very little contact outside of the ongoing litigation.

And Tony suspects that Melissa's mother, a woman he holds in some ambivalence, has proven an influential figure in the younger woman's decision to move back to Michigan.

Tony has a couple of close friends, including one in D.C., one in Chicago, one in Maryland, and one in Michigan. He also engages with a broad range of acquaintances, through his work and while engaging in the activities of hiking and kayaking. He plays a little basketball, as well. He is a bit of a musician, plays guitar.

This gentleman is actively and deeply involved, through his vocation and otherwise, with the technology involving interpersonal communication and the efficient and seamless movement of information from locus to locus. He places great emphasis and high value on transparency, irrespective of context. This is actually a point of some importance, as it figures into the internet-based behavior which has resulted in some amazement and consternation for our court system, etc., here.

Tony drinks socially, and cannot remember the last time he was inebriated. He reports the occasional use of marijuana.

This man has been arrested once, in connection with alleged non-payment of spousal support. He has had no other difficulties of legal character save the occasional speeding ticket.

The man's past exposure to mental health interventions is limited to a single counseling session during the past year.

Tony indicates that he copes with the life stress inherent in his divorce by means of physical activity, and principally by hiking, a strenuous endeavor he finds therapeutic.

This individual does not own firearms. He did not hunt during childhood or adolescence. He does not routinely operate firearms.

Tony has no experience with, or interest in, the fabrication of explosives. He recognizes that the image of a bomb on some of his web-based material has caused concern on the local court's part, and dismisses this.

### **Observations:**

Tony comes across as highly authentic. He expresses ideation and sentiment characteristic of a thoroughly devoted father. He demonstrates clear and significant disillusionment and a restrained, disbelieving outrage at the developments in his life over the past two years or so.

Eye contact was direct, though in no sense confrontational or belligerent. This is a personable individual who possesses excellent interpersonal and social skills. Tony is clearly a likable individual. He is sincere and self-honest, to the degree that he understands himself.

Mood was euthymic, and affect, evenly modulated and generally positive. Temperament was judged to be relatively ebullient. There were no indications of particular emotion dysregulation, even under circumstances of direct and blunt confrontation or challenge, by the writer.

There is a notable inflexibility in basic core beliefs on this man's part, and a considerable degree of emotional intensity backing his convictions. One gets the idea that Tony's sense of right has become somewhat righteous (i.e., in the fervent, moral and/or religious sense). Perhaps this is understandable, given the circumstances he grapples with, yet it is impressive, and not an entirely attractive characteristic.

This is a highly intelligent and articulate man. Personal hygiene was impeccable. Appearance and dress were, today, casual.

There were no indications of disordered thought or affect. Certainly, no psychotic phenomena were noted.

Beyond the slightly uncomfortable self-introductions at the beginning of our interview, excellent rapport was readily established. The man proved highly cooperative, and the interview and testing moved along very smoothly to completion.

Tony did request that the examiner allow him to record all or a part of our session. The examiner demurred; Tony proved to be fine with that arrangement.

### **Psychological Testing:**

A Millon Clinical Multiaxial Inventory-III was administered this afternoon. The man's approach to the testing was cooperative, honest, and forthright. He did not put forth effort to deceive the examiner by exaggerating his positive qualities or minimizing his quirks and shortcomings. The protocol is valid.

Results of the testing are woven together with material gleaned from the lengthy clinical interview conducted by the writer, and appear below.

### **Summary:**

Again, the following analysis is predicated upon the man's standardized personality test results, and generally corroborated (and sometimes challenged and modified) by his presentation and the lengthy face-to-face interview accomplished by the writer on, as noted, 1/24/2015. Said analysis is phrased, of necessity, in broad strokes, and is, hence, probabilistic in character. Skilled and experienced though he may be, the writer is hobbled, as always in such circumstances, by the enforced brevity of his contact with his subject, and, in consequence, by an inadequacy of information.

Tony proved forthright, direct, honest, and to the best of his ability (limited by the degree and extent of his self-insight) *transparent* in his representation of himself. He did *not* attempt to positively distort the examiner's perception of him in a deliberate, studied, or deceitful manner. He did not attempt to conceal who he is or the way that he is.

Yet it should be made clear that the man's deeply meaningful self-understanding is naive. Tony has lived in his own world, as it were, for a very long time. He has avoided internalizing experiences which might, otherwise, have allowed him to achieve a fuller and deeper understanding of himself and of the impact he has on others.

He is not to be judged or blamed for this state of affairs, at least by the writer. He is not a devious individual, and has not gone out of his way to avoid interpersonal experiences which might, through the vehicle of their impact upon him, have operated to enhance his self-awareness. He has simply, and for reasons dating to his formative years, existed, emotionally speaking, at some appreciable distance vis-a-vis other people.

And what might this carefully distanced internal world look like?

In the broadest context, Tony is best understood as being avoidant. He is *not* a man who is comfortable with deep intimacy. This stance is protective in character. He appears to have endured emotional disappointment and frustration in relation to his primary caregivers, during childhood, and in consequence, he has developed a relative inward focus. He is believed to have sustained appreciable shaming and criticism, however civil and polite this may have been expressed. Tony's childhood relationships are highly likely to have been, for him, difficult, painful, and traumatizing. He stands at appreciable emotional distance from others, and focuses his energies inwardly, in the interest of avoiding similar experiences, as an adult.

Tony is *not* a dependent individual. He is highly autonomous and self-directed. He is *not* deeply affected by the responses of others to him or by the views they may hold regarding him. He is self-reliant and his goals and objectives are *not* easily discouraged or influenced by others. He is generally very confident and sure of himself.

Like most independent, self-confident, and emotionally self-contained souls, Tony will come across as self-absorbed and perhaps somewhat unappreciative and unempathic. His thinking and his behavior will prove strongly affected, determined by his firmly held, personal beliefs regarding himself, others, and the world.

It should be evident that Tony is apt to be, and to feel, misunderstood and misrepresented by other people. Such is the fate of those who hold themselves at appreciable distance in relation to others, who do not share their deepest secrets with others, and who, hence, live more or less in their own worlds.

To continue, those he relates closely to are likely to believe that Tony holds them at less esteem than he does himself. He may ignore their views and opinions, he may maneuver or take relative advantage of them. He may casually disregard their wants and wishes, may demonstrate what appears to them to be a callous attitude toward them.

When feeling threatened or provoked by other people, Tony may develop a vengeful attitude toward them. Others may, under such circumstances, see him as being excessively hard on them. Others may describe him as being occasionally cruel.

Tony will rationalize such things, by believing and arguing that his life approaches, his decisions, and his conduct are essential to what is best for all, are most reasonable and adaptive, or are simply unavoidable and understandable, etc. This is not a man who is routinely consumed by

remorse, in response to the complaints or descriptions of pain or disappointment from others. Decisions and actions which others describe as resulting in frustration or hurt feelings or disappointment will likely be quickly forgotten or glossed over or explained as being necessary, expedient, or simply unavoidable.

Tony is of insouciant, irrepressible mood. He is of considerably greater than average energy and emotional stamina. he is *not* troubled by dependency, depressive thinking, or ruminative self-doubt.

Moderate cognitive rigidity, apparent as a failure to adjust his core beliefs in response to evidence, arising in the interpersonal world, of the utility and/or appropriateness of doing so, will likely be observed. The adjectives 'persistent', 'dogged', and sometimes even 'relentless' and 'deluded' may seem to others as applicable referents to Tony, in this context.

Does he wish *harm* to come to others? In the opinion of the examiner, he does not. he is well-defended and of relatively poor insight, meaning that he is generally unaware of the negative side of his impact on others. He holds tremendous faith in his own ideas, including those regarding what is right, just, and honorable. And as are most self-confident and energetically assertive souls, he will *not* be easily or readily dissuaded from actions predicated on his core beliefs. But he is not aggressive. His test results do *not* suggest the he will prove a frank danger to the safety or security of other people.

True, Tony's way of being in the world, to include his conduct in relation to others, and especially those who love him, may be described by them, at times, as emotionally hurtful.

This gentleman is seen as being free of significant and disabling psychopathology. His sense of reality is intact. There is no evidence, at present, that he is at all delusional, though again, others may comment that he is sufficiently wedded to his way of perceiving things, and to his somewhat eccentric belief system, that he appears, at times, *deluded*. His behavior is volitional and reality-directed, and he is in good control of himself and his actions. His executive functions (e.g., his planning and organizational abilities) are intact.

Neither the clinical interview nor the results of the standardized testing suggest that this man presents or represents any danger to others or to the community. His antics will certainly frustrate, disappoint, and sometimes cause emotional pain to others, but the individual most likely to suffer lasting harm is actually Tony, himself. Indeed, the notion of behaving in deliberately, self-insightfully hurtful (i.e., malevolent) ways actually contradicts Tony's Catholic upbringing and decidedly Christian belief system.

By way of reasonable disclaimer, the writer emphasizes that aggressive and destructive behavior are exceedingly difficult to predict. They are events of relative rarity, and are influenced and determined by a great many variables. Nevertheless, data in the possession of the writer do not raise the concern that this individual will target for violence those with whom he is frustrated and angered.

### **Diagnostic Impressions:**

This is a highly intelligent, generally adaptive, functional, psychologically competent individual of greater than average energy who describes himself as possessing good physical health.

There exist no diagnosed or diagnosable psychological difficulties, though Tony very clearly demonstrates internal and interpersonal traits and proclivities which might be accurately and usefully described as “issues,” meaning subclinical conditions which complicate his life and functioning by leading, one way or another, to significant tension, misunderstanding, and conflict in relation to others, along the lines described by the preceding.

Said issues, or, rather, eccentricities in thinking, feeling, and interacting with others and the world at large, emphasize a carefully defended distance in relation to others, driven by anxiety regarding the possibility that he may, should he allow others closeness and influence, find himself unfeelingly subordinated, powerless, taken advantage of, and used. As well, Tony’s regard for broadly held social conventions and mores is suboptimal, and his tendency is to disregard the thoughts, feelings, wants, and wishes of others, particularly when these conflict with his own internal analogs. His insight is poor, meaning that he is largely unaware of the immediately foregoing and of the downside of the impact his noted proclivities have on his life and on the lives of those who love him. He is self-contained, tends to live in his own world more than do most, possesses a peculiar degree of faith in his own ideas and beliefs, and has remarkable energy to apply to the pursuit of his belief-predicated aims.

At this point in his life, Tony strongly believes himself misunderstood and wronged by those he has trusted in, whether that be his estranged wife or his children’s educators or the oftentimes situational ethics of attorneys or the casual insensitivity and indifference of the court system. He fully intends to doggedly pursue the righting of those perceived wrongs, and he possesses sufficient internal resources to make rather a persistent nuisance of himself in pursuit of this crusade of sorts.

This is likely not an individual greatly easy to stand in close relationship to.

People might be inclined to view Tony as being narcissistic, but that would be oversimplification and error. In the main, he is afraid. He is afraid for himself and he is afraid for his children. He fears that the school and the court and the system will fail to protect him and his children. He deeply fears that the system will disregard the importance of his relationships with his children.

Any attitudes or conduct others may be tempted to think of as self-focused, as insensitive, and as narcissistic, need first to be looked at from a perspective appreciating this man’s basic disillusionment, mistrust, and fear.

In the opinion of the writer, Tony’s eccentricities, internally and interpersonally, are longstanding, and owe their genesis to peculiarities in his relationships with his childhood caregivers, some of which have been noted or, at the least, hinted at, above.

While not asked to issue specific recommendations regarding this gentleman, the writer would, nevertheless, encourage Tony to consider the possibility and wisdom of exploring some of the aforementioned “issues” in the context of a meaningful counseling/psychotherapy relationship.

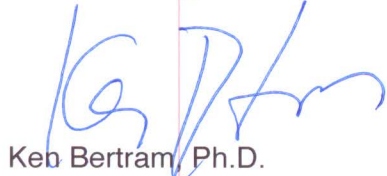
The writer would also encourage as complete openness as possible by the court and attendant processes. The same is applicable, where Tony’s estranged wife is concerned, as regards decisions and other matters of relevance in the lives of Rocco and Amelia. Tony’s anxiety only

escalates in the absence of information and understanding. And his pressure for information will increase dramatically when he feels anxious.

Nor can the writer see reason not to support and encourage full involvement of this man in the lives of his minor children. He is a loving and devoted, though currently frustrated father. Certainly, it would be well for his son and daughter to enjoy full benefit of his relationships with them and his nurturing presence and disposition.

And from the writer's point of view, a very legitimate argument exists that this possibly annoying individual has been unfairly treated by his divorcing wife. Though, even sight-unseen, it appears likely, at least to this writer, that Melissa's perception is that she, too, has been unfairly treated by her husband.

The writer expresses gratitude for having been allowed the opportunity to meet and get to know this interesting individual.

A handwritten signature in blue ink, appearing to read 'Ken Bertram', is positioned above the printed name.

Ken Bertram, Ph.D.  
Licensed Psychologist